

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13315 of 2023

1. Sarju Prasad @ Sarju Lal Gupta Son of Mathura Sav, Resident of Village- Bandhuganj Dih. PS- Ghosi, Anchal- Modanganj, District- Jehanabad, Bihar.
2. Chalitar Paswan, Son of Sahlu Paswan, Resident of Village- Bandhuganj Deeh, Gandhar Arazi, PS- Ghosi, Anchal- Modanganj, District- Jehanabad, Bihar.
3. Sahendra Thakur, Son of Devnandan Thakur, Resident of Village- Bandhuganj Dih PS- Ghosi, Anchal- Modanganj, District- Jehanabad, Bihar.
4. Subodh Sharma, Son of Dhupan Sharma, Resident of Village- Bandhuganj. Gandhar Arazi, PS- Ghosi. Anchal- Modanganj District- Jehanabad, Bihar.
5. Rekha Devi, Wife of Bhuletan Sav, Resident of Village- Bandhuganj. PS- Ghosi, Anchal- Modanganj, District- Jehanabad, Bihar.
6. Saroj Devi, Wife of Janam Dev Paswan Resident of Village- Bandhuganj Dih, PS- Ghosi. Anchal- Modanganj, District- Jehanabad, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Collector-cum-District Magistrate, Jehanabad.
3. The Sub Divisional Officer, Jehanabad, District- Jehanabad.
4. The Circle Officer, Anchal- Modanganj, District- Jehanabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Respondent/s : Mr.Md. Khurshid Alam (Aag 12)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 18-09-2023 1. The present writ petition has been filed seeking the following reliefs:-

“i) For quashing of notice dated 15-06-2023 contained in Memo No. 1072 issued u/s 6(2) of Bihar Public Land Encroachment Act, 1956, in case No. 01/2015-16 by the Circle



Officer, Modanganj during the pending Appeal No. 39/2015 preferred by petitioner u/s 11 of the said Act before the Collector, Jehanabad, as well as for quashing of final order dated 10-12-2015 issued under Section 6(2) of Bihar Public Land Encroachment Act, 1956.

(ii) For staying the operation of impugned notice dated 15-06-2023, till coming of final order in pending appeal before the respondent Collector, Jehanabad as the houses of the petitioners are going to be demolished on 23-09-2023."

2. At the outset, the learned counsel for the petitioners seeks some protection from demolition since he has already filed an appeal bearing Appeal No.39 of 2015, before the learned Collector, Jehanabad, against the order dated 10.12.2015, passed by the Circle Officer, Modanganj.

3. Having regard to the limited prayer made by the learned counsel for the petitioners, I deem it fit and proper to direct that status quo



existing as on today qua the land/house of the petitioners in question shall be maintained, for a period of four weeks from today, in order to enable the petitioners to approach the appellate court for grant of interim order of stay.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

kanchan/-

U			
---	--	--	--

